

## **Family leaves – a matter for both parents**

Brochure text, updated 4.1.2010

Did you know that the parents – both father and mother – can take family leaves? Our current legislation provides for more flexibility in the way gainfully employed parents can share family leaves. When both parents take such leave while their children are small, both the father's and the mother's relationship with the child becomes closer – and that has a wide-ranging effect. Do not let the opportunity pass: take leave while your children are small.

### **What are family leaves?**

Family leaves enables the parents of small children to stay at home for a fixed term to mind their child and to grow as parents along with the child. Several parallel schemes of family leaves are available to cater for the varying needs of families, e.g.:

- maternity leave: 105 week days (including Saturday)
- paternity leave: 1-18 week days after the birth of the child during the period when maternity or parental benefit is payable, and
- paternity month: if the father takes the two last weeks of full-time or partial parental leave, he is entitled to receive paternity leave benefit for additional 1-24 week days; the paternity month must be held uninterrupted
- full-time or partial parental leave: 158 week days after the expiry of the period when maternity benefit is payable, for adoptive parents 234 week days from the birth of the child, however the minimum period is 200 week days
- full-time child-care leave: for the care of a child under 3 years of age; in case of an adopted child, for no less than two years from the date of the adoption and at the most until the child starts school
- partial child-care leave: to the end of the second school year (July); for a child within the scope of extended compulsory education, until the end of the third school year, and in case of a handicapped child or child with a long-term illness, until the child is 18 years of age
- temporary child-care leave: 1-4 working days to arrange for care or to care for a child under 10 years during a sudden illness
- temporary right of absence for a compelling family reason: for the care of a family member or some other close relative, if the compelling family reason due to illness or an accident necessitates it.

The father and mother living in the same household with the child are entitled to family leaves. An employee may stay at home to care for his or hers own or adopted child, or another child living in the same household with him or her. However, a parent not living in the same household with the child is also entitled to temporary child-care leave. In a registered partnership, the partner of the child's parent is entitled to take parental leave, if the child was born, or the other partner adopted the child under 7 years of age, after registration of the partnership.

The employee taking family leaves is entitled to return to his or hers former duties at work. If such work is no longer available, he or she shall be offered work of a similar kind. The employee may not be given notice of termination while pregnant, nor after the employee has expressed the intention to take family leaves or if he or she is on family leave.

## **Family leaves – a way to reorganise working hours**

Combining family life and work requires that the parents of young children have the opportunity to reorganise their working hours in a sensible way as far as the child care arrangements are concerned.

Full-time child-care leave enables a parent to stay at home caring for the child(ren) full-time for a fixed term. Partial parental leave as well as partial child-care leave facilitates combining work and family life by shortening the time spent at work. Partial parental and child-care leave can be implemented by reducing the daily or weekly working hours, taking into consideration the needs of the family and employer of the parent. Part-time work related to partial parental and child-care leave is subject to agreement between employer and employee.

## **Family leave schemes – the means for parents to share their child-care responsibility**

You are sharing active parenthood by sharing family leaves:

- You both have the opportunity to grow with your child,
- Your child's right to two parents comes true,
- The time spent together during the early childhood lays a good foundation for future parenthood,
- Absence from work is more evenly distributed, while both parents make use of family leaves and participate in caring for the child during a sudden illness.
- Both parents stay in touch with working life and retain their right to earnings-based social security.

Paternity leave can be held in one to four periods after the birth of the child for a maximum of three weeks (1-18 week days) any time during the period when maternity or parental benefit is payable. If the father holds full-time or partial parental leave in one period for at least the two last weeks (12 week days) when parental benefit is payable, he is entitled to take additional 1-24 days of leave (so called paternity month). The paternity month must be held uninterrupted within 180 week days after the expiry of the period when parental benefit is payable.

It is important for combining work and family life that the parents of the child can share periods of family leaves flexibly between themselves. Did you know that family leaves are equally available to the father and the mother as follows?

- full-time and partial parental leave,
- full-time and partial child-care leave,
- temporary child-care leave, and
- absence for compelling family reasons.

Full-time parental leave taken after the maternity leave, and full-time child-care leave taken for purposes of caring for a child under three years of age, can both be shared so that each parent can have two periods of leave maximum. The minimum duration of each period of full-time parental leave is 12 week days, and that of child-care leave is one month. The employer and employee may agree on more than two periods of child-care leave or periods shorter than one month.

When using partial parental leave, both parents make an agreement with their employer on the shortening of the working time and on a corresponding reduction of the salary by 40-60 per cent for

at least two months consecutively. After the parental leave both parents can take partial child-care leave after an agreement with their employer regarding part-time work.

Partial child-care leave can be taken to the end of the second school year (to the end of July) or if the child is under the extended compulsory education, to the end of the third school year. The entitlement to partial child-care leave of a parent whose child is handicapped or affected by long-term illness and in need of particular care and support continues until the child is 18 years of age.

The parents have a right to partial child-care leave, if the employee has been employed by the same employer for a total of six months during the last year. The employer can refuse to shorten the working time only if the arrangement causes inconvenience to the activities of the employer. If the employer has no sufficiently weighty reason to refuse, and if no agreement is reached regarding the implementation of the leave, the employee is entitled to one child-care leave period per calendar year. In this case, the length and date of the leave are determined according to the proposal of the employee, the working time being 6 h/day or 30 h/week.

The responsibility for caring of the child during partial parental and child-care leave is divided so that each parent cares for the child on alternate days or weeks or so that one parent cares for the child in the morning and the other parent in the afternoon. Both parents cannot simultaneously be present to take care of the child while on full-time or partial parental leave, on child-care leave or on temporary child-care leave.

The simultaneous presence of both parents to take care of the child is possible however, when

- the mother is on maternity or parental leave and the father is on paternity leave or on childcare leave period,
- one of the parents is on parental leave, while the other parent is on child-care leave period,
- several children than one have been born: in such a case extension days to the period when parental benefit is payable can already be held during the period when maternity and parental benefit is payable.

### **The effect of family leaves on the family's economy**

The person on maternity, paternity or parental leave is paid a daily allowance as provided under the Sickness Insurance Act. The amount of allowance paid is based on the earnings of the person taking leave. Taxation levels out the reduction in earnings. Furthermore, many employees are entitled to salary in respect of the part of the maternity leave (6 weeks to 3 months) according to collective agreements. Maternity, paternity and parental leave accrues holidays.

An employee on full-time child-care leave may be paid a child-care allowance until the child turns three years. Partial child-care leave carries a potential partial child-care allowance payable to the parents in respect of a child under three years of age and a child who is in the first and second class. In addition, some municipalities subsidise caring for a child at home or in private care with municipal child-care allowances in varying amounts.

### **Family leaves – an excellent opportunity to learn new skills**

You can even make use of the family leaves to acquire new knowledge, skills and experience useful to you in future employment. Caring for children and managing your family's daily affairs increase

your organisational and social skills. The time spent with children is rewarding and opens your eyes to broader horizons.

**Additional information:**

**www.tyosuojelu.fi** (Occupational Safety and Health Inspectorates)  
the use of leaves during employment relationships

**www.kela.fi** (The Social Insurance Institution of Finland)  
income security during the leave

**www.finlex.fi** (legislative information)

- Employment Contracts Act 55/2001, Government Bills 37/1998, 22/2003 and 44/2006
- Sickness Insurance Act 1224/2004, Government Bills 112/2006, 131/2009
- Act on the support for care of a child at home and for private care 1128/1996 and Government Bills 77/2003, 157/2009

Leave	Right/duration	Multiple periods of leave	Period of advance notice of commencement/ change of starting date	Application period for daily allowance/ other benefit or compensation
<b>Maternity leave</b>	105 week days , starting 30 (to 50) week days before expected birth		Two months prior to taking leave; changeable subject to one month's advance notice; the starting date may be brought earlier without advance notice	At least 2 months prior to calculated date; possible wage as provided under collective agreements
<b>Paternity leave</b>	1-18 week days after the birth of the child while maternity or parental benefit is payable	1-4 periods	Two months prior to taking leave; (for leaves of no more than 12 working days, 1 month); changeable subject to one month's advance notice; the period to be taken at birth changeable without advance notice	Within 2 months after the expiry of the period when parental benefit is payable
	1-24 week days after the father has held consecutively at least the 12 last week days of the period when parental benefit is payable	Must be held within 180 days after the expiry of the period when parental benefit is payable, the leaves have to form one consecutive period	See <a href="http://www.kela.fi">www.kela.fi</a>	As above
<b>Full-time parental leave</b>	158 week days; to be extended by 60 week days for each additional child in a multiple birth	Each parent can take two periods of leave lasting 12 week days minimum	Two months (for leaves of no more than 12 working days and in case of the spouse commencing employment, 1 month) prior to taking leave; changeable subject to one month's advance notice and a valid reason	At least one month prior to the desired starting date
<b>Partial parental leave</b>	As above	Both parents agree on part-time work for at least 2 months	Agreement on interruption and change; unless agreed, right to interruption for a valid reason	As above
<b>Full-time child-care leave</b>	Until the child turns three years; (for an adopted child: no less than 2 years from the adoption, at the most until the child starts school)	Each parent can take two periods of leave lasting 1 month minimum; one period of child-care leave can be taken during the other parent's maternity or parental leave	Two months prior to taking leave; changeable subject to one month's advance notice and a valid reason	Allowance for child-care at home possible; application 6 months prior to the desired starting date
<b>Partial child-care leave</b>	To the end of the second school year (July); (extended compulsory education: until the end of the 3rd school year; a child who is handicapped or with a long-term illness: until the child is 18)	Based on mutual agreement	Two months prior to taking leave; changeable by mutual agreement; unless agreed, right to interruption for a valid reason with one month's advance notice	Possible partial child-care allowance for taking care of a child under 3 and a child who is in the 1st and 2nd (3rd) class; time of application as above

<b>Temporary child-care leave</b>	Until the child turns 10 years; entitlement also concerns a parent not living with the child; 1-4 working days per each sudden illness of the child		To be notified of as soon as possible; reliable explanation has to be presented on request	Possible wage as provided under collective agreements
<b>Absence for compelling family reasons</b>	Temporary absence for an unpredictable reason due to illness or accident in the family		To be notified of as soon as possible; reliable explanation has to be presented on request	Usually unpaid leave

